

# **California Integrated Waste Management Board**

## **Board Meeting**

### **February 15-16, 2005**

#### **AGENDA ITEM 7**

##### **ITEM**

Consideration Of Contractor For The Waste Tire Short-Term Remediation Contract (Tire Recycling Management Fund, FYs 2004/2005 And 2005/2006)

##### **I. ISSUE/PROBLEM STATEMENT**

The California Integrated Waste Management Board (Board) over the last nine years has completed remedial work to clean up, abate, and stabilize illegal waste tire sites in an effort to protect public health and safety. Staff proposes that the Board approve the contractor for the Short-Term Remediation Contract under the Waste Tire Stabilization and Abatement Program. The current short-term remediation contract, which was awarded by the Board in June 2002, will expire in May 2005. This contract will allow the Board to continue tire pile remediation efforts.

##### **II. ITEM HISTORY**

The Board has awarded five previous contracts for remediation of illegal waste tire sites. Contracts were awarded in Fiscal Years (FYs) 1994/1995, 1996/1997, 1997/1998, 1999/2000, and 2001/2002.

At the October 13, 2004 Board meeting the Scope of Work (SOW) for the Waste Tire Short-Term Remediation Contract was approved.

##### **III. OPTIONS FOR THE BOARD**

1. Approve Resolution Number 2005-36 and the proposed contractor Engineering/Remediation Resources Group, Inc. (ERRG), for the Waste Tire Remediation Contract – Attachment 1.
2. Disapprove the proposed contractor ERGG for the Waste Tire Remediation Contract and direct staff to take other action.

##### **IV. STAFF RECOMMENDATION**

Staff recommends that the Board approve Option 1 and adopt Resolution Number 2005-36 and approve ERGG as the contractor.

##### **V. ANALYSIS**

###### **A. Key Issues and Findings**

The first waste tire remediation contract was approved by the Board in 1995. To date, a total of five contracts have been awarded for short-term remediation of waste tires. The contractor selection process for the Waste Tire Stabilization and Abatement Contract utilized the Request for Qualifications (RFQ) process in Title 14, Division 7, Article 2, Section 17022 of the California Code of Regulations. Statement of Qualifications (SOQs) were required to be submitted to the Board by the December 13, 2004 deadline. There were a total of five submittals. All five SOQs were determined to be complete and responsive packages. The SOQs were scored and ranked pursuant to the above-referenced process by a selection committee consisting of three individuals. The top three ranking firms were then interviewed by the selection committee and the company ERGG was selected as the highest ranking firm.

### **Key Issues**

The purpose of the Waste Tire Stabilization and Abatement Contract is to clean up waste tire sites with the most feasible stabilization/remediation plan possible. Factors to be considered when developing a stabilization/remediation plan include the condition of the waste tires, geographic location of the site, final disposition, costs, accessibility to tires, urgency for completing the work, and other site specific conditions. The contractor will solicit competitive bids for the tire transportation and disposal/recycling portion of the work for each site in an effort to efficiently utilize Board expenditures.

#### **B. Environmental Issues**

The contract will be used to reduce the number of illegal waste tire piles in California. The Board will coordinate all remediation efforts with the other appropriate environmental agencies.

#### **C. Program/Long Term Impacts**

The contract will allow the Board to continue its efforts to perform any cleanup, abatement, or remedial work required to prevent substantial pollution, nuisance, or injury to the public's health and safety at waste tire sites where the responsible parties have failed to take appropriate action as directed by the Board.

#### **D. Stakeholder Impacts**

Based on available information, staff is not aware of any stakeholder impacts related to this item.

#### **E. Fiscal Impacts**

Funding for the remediation of the waste tires has been identified in the Five-Year Plan. On May 14, 2003, the Board adopted the revised Five-Year Plan covering FYs 2003/2004 through 2007/2008 that included \$1.5 million for Short-Term Remediation Projects for FYs 2004/2005 and 2005/2006. The FY 2004/2005 funds must be encumbered by June 30, 2005; otherwise, they revert back to the Tire Recycling Management Fund. The contract will be awarded for an amount not to exceed \$3 million.

#### **F. Legal Issues**

Based on available information, staff is not aware of any legal issues related to this item.

#### **G. Environmental Justice**

See Strategic Plan discussion below.

#### **H. 2001 Strategic Plan**

Activities pertaining to cleanup, abatement, or other remedial action support Goal 4 of the Board's Strategic Plan

**Goal 4:** To manage and mitigate the impacts of solid waste on public health and safety and the environment and promote integrated and consistent permitting, inspection, and enforcement efforts.

**Objective 4:** To intensify efforts to prevent illegal dumping and, where necessary, clean up illegally disposed waste and waste tire sites. This will be accomplished through the implementation of the following strategy.

**Strategy C:** To direct Board resources and support local efforts to ensure the timely remediation and restoration of illegal disposal sites and illegal waste tire sites that pose the greatest threat to public health and safety and the environment.

## VI. FUNDING INFORMATION

The Board's *Five-Year Plan for the Waste Tire Recycling Management Program* identifies funding for Short Term Remediation Projects. Funds available include \$1.5 million for FY 2004/2005 and \$1.5 million for FY 2005/2006. The FY 2004/2005 funds must be encumbered no later than June 30, 2005.

1. Fund Source	2. Amount Available	3. Amount to Fund Item	4. Amount Remaining	5. Line Item
Tire Recycling Management	\$3,000,000	FY 04/05 \$1,500,000 FY 05/06 \$1,500,000		3910-001-0387

## VII. ATTACHMENTS

1. Resolution Number 2005-36

## VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

- A. **Program Staff:** Albert Johnson **Phone:** (916) 341-6687  
B. **Legal Staff:** Holly B. Armstrong **Phone:** (916) 341-6060  
C. **Administration Staff:** Carol Baker **Phone:** (916) 341-6105

## IX. WRITTEN SUPPORT AND/OR OPPOSITION

### A. Support

Staff had not received any written support at the time this item was submitted for publication.

### B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

## CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

### Resolution 2005-36

Consideration Of Contractor For The Waste Tire Short-Term Remediation Contract (Tire Recycling Management Fund, FYs 2004/2005 And 2005/2006)

**WHEREAS**, the State of California generates more than 33 million waste tires annually and over 25 million of these are diverted from stockpiling or disposal in landfills; and

**WHEREAS**, Public Resources Code (PRC) sections 42800, *et seq.* established the waste tire program for the State of California and assigns responsibility to the California Integrated Waste Management Board (Board); and

**WHEREAS**, PRC section 42846(a) allows the Board to expend available money in the California Tire Recycling Management Fund to perform any cleanup, abatement, or remedial work required under the circumstances set forth in PRC section 42845 which, in its judgment, is required by the magnitude of endeavor or the need for prompt action to prevent substantial pollution, nuisance, or injury to the public health and safety; and

**WHEREAS**, the Board approved the report *Five-Year Plan for the Waste Tire Recycling Management Program (2<sup>nd</sup> Edition Covering Fiscal Years 2003/2004-2007/2008)*, which included a \$1,500,000 allocation in Fiscal Year (FY) 2004/2005 and a \$1,500,000 allocation in FY 2005/2006 for Short-Term Remediation Projects; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby approves Engineering/Remediation Resources Group, Inc., as the contractor for the Waste Tire Short-Term Remediation Contract in an amount not to exceed \$3,000,000, subject to availability of funds appropriated to this program.

### CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on February 15-16, 2005.

Dated:

Mark Leary  
Executive Director